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Counsel for Highland Capital Management, L.P.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

| | | |
|------------------------------------|---|--------------------------|
| In re: | § | Chapter 11 |
| HIGHLAND CAPITAL MANAGEMENT, L.P., | § | |
| | § | Case No. 19-34054-sgj11 |
| Reorganized Debtor. | § | |
| ----- | § | |
| CHARITABLE DAF FUND, L.P., | § | |
| and CLO HOLDCO, LTD., | § | |
| <i>directly and derivatively,</i> | § | Adversary Proceeding No. |
| | § | |
| Plaintiffs, | § | 21-03067 |
| | § | |
| vs. | § | |
| | § | |
| HIGHLAND CAPITAL MANAGEMENT, | § | |
| L.P., HIGHLAND HCF ADVISOR, LTD., | § | |
| AND HIGHLAND CLO FUNDING, LTD., | § | |
| Nominally, | § | |
| | § | |
| Defendants. | § | |

**DEBTOR'S WITNESS AND EXHIBIT LIST WITH RESPECT
TO EVIDENTIARY HEARING TO BE HELD ON NOVEMBER 23, 2021**

Highland Capital Management, L.P. (the “Debtor”) submits the following witness and exhibit list with respect to *Defendant Highland Capital Management, L.P.’s Motion to Dismiss Complaint* [Docket No. 26], which the Court has set for hearing at 9:30 a.m. (Central Time) on November 23, 2021 (the “Hearing”) in the above-styled adversary proceeding (the “Adversary Proceeding”).

A. Witnesses:

1. Any witness identified by or called by any other party; and
2. Any witness necessary for rebuttal.

B. Exhibits:

| Number | Exhibit | Offered | Admitted |
|--------|---|---------|----------|
| 1. | HarbourVest 2017 Global Fund L.P. Proof of Claim No. 143, HarbourVest 2017 Global AIF L.P., Proof of Claim No. 147, HarbourVest Dover Street IX Investment L.P., Proof of Claim No. 150, HV International VIII Secondary L.P., Proof of Claim No. 153, HarbourVest Skew Base AIF L.P., Proof of Claim No. 154, and HarbourVest Partners L.P., Proof of Claim No. 149. | | |
| 2. | <i>Motion for Entry of an Order Approving Settlement with HarbourVest (Claim Nos. 143, 147, 149, 150, 153, 154) and Authorizing Actions Consistent Therewith</i> [Case No. 19-34054, Docket No. 1625] | | |
| 3. | <i>Settlement Agreement and Transfer Agreement for Ordinary Shares of Highland CLO Funding, Ltd.</i> [Case No. 19-34054, Docket No. 1631-1] | | |
| 4. | <i>James Dondero’s Objection to the Debtor’s Motion for Entry of an Order Approving Settlement with HarbourVest</i> , [Case No. 19-34054, Docket No. 1697] | | |
| 5. | <i>The Dugaboy Investment Trust and Get Good Trust’s Objection to the Debtor’s Motion for Entry of an Order Approving Settlement with HarbourVest (Claim Nos. 143, 147, 149, 150, 153, 154) and Authorizing Actions Consistent Therewith</i> [Case No. 19-34054, Docket No. 1706] | | |
| 6. | <i>CLO Holdco, LTD.’s Objection to HarbourVest Settlement</i> [Case No. 19-34054, Docket No. 1707] | | |

| Number | Exhibit | Offered | Admitted |
|--------|--|---------|----------|
| 7. | Deposition Transcript of Michael Pugatch, January 11, 2021 | | |
| 8. | <i>Omnibus Reply in Support of Debtor's Motion for Entry of an Order Approving Settlement with HarbourVest (Claim Nos. 143, 147, 149, 150, 153, 154) and Authorizing Actions Consistent Therewith</i> [Case No. 19-34054, Docket No. 1731] | | |
| 9. | Hearing Transcript, January 14, 2021 [Case No. 19-34054] | | |
| 10. | <i>Order Approving Debtor's Settlement with HarbourVest (Claim Nos. 143, 147, 149, 150, 153, 154) and Authorizing Actions Consistent Therewith</i> [Case No. 19-34054, Docket No. 1788] | | |
| 11. | <i>Original Complaint</i> [Docket No. 1] | | |
| 12. | Deposition Transcript of Grant Scott, January 21, 2021 | | |
| 13. | Members Agreement, November 15, 2017 | | |
| 14. | Any document entered or filed in the Reorganized Debtor's Bankruptcy Case, including any exhibits thereto | | |
| 15. | All exhibits necessary for impeachment and/or rebuttal purposes | | |
| 16. | All exhibits identified by or offered by any other party at the Hearing | | |

Dated: November 22, 2021.

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